

**REMARKS**

Claim 1 stands objected to due to certain informalities including the term “like” on line 2, and “the material” on line 8.

Claim 9 stands objected to for certain informalities including “like” on line 2.

Claims 4-8 and 13-18 stand objected to under 37 CFR 1.75(c) as being improper due to multiple dependent claims that depend upon other multiple dependent claims.

Claims 1-19 stand rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention because the claims are generally narrative and indefinite, and fail to conform with current U.S. practice.

Claim 19 stands rejected under 35 U.S.C. § 102(b) as being anticipated by German Patent Application No. DE 19647831 A1.

Claims 1-3 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over German Patent Application No. DE 194647831 A1 or United States Patent No. 6,146,072 to *Müller* in view of United States Patent No. 5,208,974 to *Sawdon, et al.* Claims 1 through 19 have been cancelled in favor of new claims 20 through 34, each of which correspond to original claims 1 through 19, but have been rewritten to overcome multiple 35 U.S.C. § 112 rejections, claim objections for improper multiple dependent claim format, and to bring the claims up to present United States practice.

Applicant submits amended Claim 20 and new Claim 35 which define over the prior art cited by the Examiner pursuant to Examiner’s Office Action of October 29, 2003. Claim 20 has been further amended to recite the step of “depressing the foot into the sheet metal work-piece thereby deforming the sheet metal work-piece into said recess and *holding* said die parts radially inward of said wall...” Applicant respectfully submits newly amended Claim 20 more accurately represents the inventive method that defines over United States

Patent No. 5,208,974 to *Sawdon, et al.* and German Patent Application No. DE 19647831 A1 to *Muller*. Applicant respectfully submits that the scope of Claim 20 has not been revised from the previously submitted Claim 20.

Applicant has further submitted new dependent Claim 35, which depends from independent Claim 34 that was previously submitted. Applicant further submits that independent Claim 34 is patentable over the prior art references cited by the Examiner. New dependent Claim 35 recites the recess defines an access and the peripheral walls are generally parallel to the axis. Because new Claim 35 includes each and every limitation recited in independent Claim 34, Applicant respectfully submits that new Claim 35 is in a condition for allowance.

In summary, Applicant submits the *Muller* reference fails to disclose die parts that are movable radially inwardly of a wall of a die, thereby forming simultaneously into an auxiliary joining element and into a sheet metal work-piece undercuts for retaining the auxiliary joining element to the sheet metal work-piece.

Applicant respectfully submits that the application has now been placed in a condition for allowance and requests such allowance from the Examiner.

Although it is believed that no additional fees are necessary, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayments regarding this Supplemental Amendment.

**Respectfully submitted,**

**HOWARD & HOWARD ATTORNEYS, P.C.**



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